IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the 05th day of July 2005

Criminal Misc. Bail Application No.592 of 2005

Order on the bail application of accused

CRIMINAL SIDE

Smt. Saruli Devi W/o Sri Mahesh Ram
R/o village Jhatquawli
Patwari Circle Arey
Tehsil & District Bageshwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No. 1 of 2005
U/s 363, 366/34 I.P.C.
P.S. Kotwali
District Bageshwar

AND

Criminal Misc. Bail Application No.576 of 2005

Prakash Ram
S/o Prem Ram
R/o village Jhatquali
Patwari Circle Arey
Tehsil & District Bageshwar .....Applicant

Versus

Arising out of case crime No.1/2005
U/s 363, 366, 376, 342, 323, 506 & read with 34 I.P.C.
P.S. Kotwali
District Bageshwar

Hon'ble J. C. S. Rawat, J.

Heard Sri Dinesh Chauhan learned counsel for the applicants and Sri G.S. Sandhu learned A.G.A. for the State.

Perused the record. The victim was taken from her house and she was taken to another house and she remained with the applicant throughout the night. It was contended that the allegations under section 366, 363 I.P.C. against the applicant are not made out. It was contended that the victim was taken from one place to other places and she kept silent and did not make any hue and cry. Perused the statement recorded under section 161 Cr.P.C. by the Patwari as well as by the police. Considering the facts, totality and circumstances of the case, it is a fit case for bail.

Let the applicants-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

Dated 05.07.2005 **(J.C.S. Rawat, J.)**

LSR